

14 Nov 1946

MEMO FOR FILES:

I am not replying to this memo from Col. Bronson at this time. I do not believe that the program is sufficiently developed to have any clear judgment now on the organization of the field work. I will probably have some views on this after we begin reaching that stage.

JA

MEMORANDUM:

8 November 1946

TO : Mr. JAMES S. MARTIN

SUBJECT : Statement of Functions of Field Operations Section, Decartelization Branch, in Comparison with other Sections of the Branch.

1. According to the provisions of Office Order No. 20, Decartelization Branch, 24 October 1946, the Field Operations Section has the following functions and duties:

- a. All field investigations conducted by the Decartelization Branch in the U.S. and British Zone.
- b. Liaison with the German governmental agencies.
- d. Implementation of directives issued by COIG.
- e. Implementation of directives of U.S. Control Officers I.G. Farben.

2. In the last paragraph of the order, Lt. Col. Field is relieved from duty as Chief, Investigations and Enforcement Section.

3. The apparent implication of this last paragraph indicates that the Field Operations Section has or had the responsibility for the enforcement of the decartelization program, as well as for investigations in the field.

4. The question that presents itself is where the duty and responsibility begins and ends in the investigations field and in the enforcement field of this newly created section, as compared to the duties and responsibilities of the Investigation Section and the Enforcement Section in the Berlin office of the Decartelization Branch.

5. In so far as the investigations activities are concerned, it is assumed by me that Mr. Laurent, the Chief of the Investigation Section, Decartelization Branch, establishes the program of the investigations and will send personnel into the field to work with the personnel of the Field Operations Section in starting investigations and assist generally in their being carried out. As a matter of mechanics, however, how this actually works out may be some more difficult to envisage. It can be assumed, for example, that Mr. Laurent, having decided that an investigation is necessary for the A B C Company, will then send Mr. X from his section in Berlin to the Field Operations Office in the field and will ask for the assignment of one or more of the Field Operations Section personnel to take on an investigation. It is assumed that Mr. X will remain with the Field Operations personnel in the initiation of such an investigation and then, after the investigation has well started, Mr. X will presumably return to Berlin, and then the Field Operations personnel will continue and complete its investigation. This investigation then will be submitted to Mr. Laurent in the Berlin office, thru the Field Operations Section.

6. In so far as the enforcement feature is concerned, it is assumed that Mr. Avery, the Chief of the Enforcement Section, will establish the program and method of the enforcement of

the Decartelization Law. It is assumed that he will have certain personnel assigned to him and that the personnel of his section will go out into the field and conduct spot checks where necessary, to see that the program is being carried out. It is likewise assumed in the event that violations of the program are found, the offenders will have appropriate charges brought against them and appropriate action will be instituted and maintained under the direction of the Enforcement Section of Berlin. It is quite uncertain at this point in the mind of the writer, where the Field Operations Section fits in with the Enforcement activities. Is it the intention that the personnel working for Mr. Avery will work through the Field Operations Section and that, when they are physically in the field and are working in the field, that they will clear through or be under the direction of the Field Operations Section? This seems quite illogical as there would then be two heads over the same activity.

7. It seems necessary to clarify this situation, and I suggest that the policy be that the Enforcement Section will work independently of the Field Operations Section, unless personnel of the Field Operations Section are available for temporary assignment with the activities of the Enforcement Section on specific job assignments from time to time.

8. Liaison with the German Governmental Agencies.

It seems desirable to have a statement of policies as to the extent to which liaison should be maintained by the Field Operations Section with the German governmental agencies. Is it the purpose of the inclusion of the function in the assignment of duties to this Section that as and when specific contact is needed with the German governmental agencies, that the personnel go out from the Frankfurt or Düsseldorf offices and make the contacts and ask the specific questions involved, or is it the thought that we are to maintain general liaison with these agencies?

Robert E. Egan
Ch. Field Op. Sec.